



0000162604

**LONA CORPORATION COMMISSION**

Arizona Corporation Commission

**COMMISSIONERS**

SUSAN BITTER SMITH - Chairman

BOB STUMP

BOB BURNS

DOUG LITTLE

TOM FORESE

**DOCKETED**

**MAR 18 2015**

DOCKETED BY

*CP*

RECEIVED

AZ CORP COMMISSION

DOCKET CONTROL

2015 MAR 18 PM 2 06

**ORIGINAL**

IN THE MATTER OF THE APPLICATION OF  
SOUTHWEST ENVIRONMENTAL UTILITIES,  
LLC FOR APPROVAL OF A CERTIFICATE OF  
CONVENIENCE AND NECESSITY TO  
PROVIDE WATER/WASTEWATER SERVICE.

DOCKET NO. WS-20878A-13-0065

**SECOND JOINT REQUEST FOR  
MODIFICATION OF PROCEDURAL  
SCHEDULE**

On March 21, 2013, Southwest Environmental Utilities, L.L.C. ("Southwest" or "Company") filed its application with the Arizona Corporation Commission ("Commission") for approval of a Certificate of Convenience and Necessity ("CC&N") to provide water and wastewater services to several developments known as Florence Majestic Ranch; Johnson Ranch Estates; Florence Crossing; Sunaire Ranch; and Majestic Ranch, all located in the Town of Florence, Pinal County, Arizona.

On January 15, 2015, the Hearing Division issued a Procedural Order which set the schedule for the filing of the Staff Report, objections thereto and the hearing. Pursuant to that Procedural Order, the Staff Report was initially due February 20, 2015, objections to the Staff Report on March 6, 2015, and the hearing set for March 30, 2015.

On February 19, 2015, Southwest and Staff filed a Joint Request for Modification of Procedural Schedule ("Joint Request") wherein Staff requested an extension of time to file the Staff Report due to the need to receive additional information, i.e., cost estimates, from the Company in order to complete the engineering portion of the Staff Report. Southwest did not object to the extension request provided it would be accorded a corresponding amount of time to file any objections to the Staff report. In the Joint Request, the parties also requested that the original March 30, 2015, hearing date be retained for purposes of taking public comment.

...

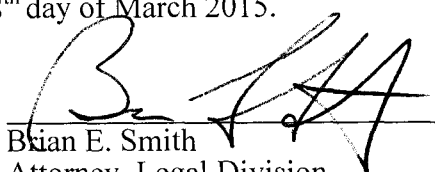
...

1 Pursuant to the Joint Request, on February 24, 2015, the Hearing Division issued a Procedural  
2 Order (Reschedules Hearing Date and Modifies Procedural Deadlines) ("Procedural Order 2")  
3 whereby the Staff Report was to be filed no later than March 20, 2015, objections thereto were due  
4 by April 3, 2015, the March 30, 2015, hearing date was retained for taking of public comments only  
5 and the evidentiary portion of the hearing was rescheduled to commence April 29, 2015.

6 Notwithstanding the continuing diligent efforts of the Company, there remains outstanding  
7 additional information from Southwest which is necessary for Staff to complete certain portions of  
8 the Staff Report. As a result, Staff is unable to meet the March 20, 2015, deadline for filing of its  
9 Staff Report.

10 As a result of the foregoing circumstances, counsel for Southwest and Staff conversed on  
11 several occasions and determined that, with the exception of the March 30, 2015, public comment  
12 hearing, further extensions of the filing deadlines set forth in Procedural Order 2 were necessary.  
13 Both counsel conveyed the circumstances to the Administrative Law Judge telephonically on March  
14 18, 2015. Pursuant to the Hearing Division's directive, counsel for Southwest and Staff hereby  
15 request that Staff have a thirty (30) day extension, or until April 20, 2015, to file its Staff Report,  
16 provided the Company produce the necessary documentation to Staff by March 20, 2015.  
17 Correspondingly, Southwest will have until May 4, 2015, to file any objections to the Staff Report.  
18 Southwest and Staff request that the March 30, 2015, hearing date be convened for taking of public  
19 comment and further request that the evidentiary portion of the hearing in this docket be scheduled as  
20 is convenient for the Hearing Division.<sup>1</sup>

21 RESPECTFULLY SUBMITTED this 18<sup>th</sup> day of March 2015.

22  
23   
24 Brian E. Smith  
25 Attorney, Legal Division  
26 Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007  
(602) 542-3402

27 <sup>1</sup> For the Hearing Division's convenience, it should be noted that counsel for Staff will be  
28 unavailable for hearing May 21 through June 1; June 15-17; and July 9-15, 2015.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28



Jeffrey W. Crockett, Esq.  
Brownstein Hyatt Farber Schreck LLP  
One East Washington Street, Suite 2400  
Phoenix, Arizona 85004  
(602) 382-4062

Original and thirteen (13) copies  
of the foregoing filed this  
18<sup>th</sup> day of March 2015 with:

Docket Control  
Arizona Corporation Commission  
1200 West Washington Street  
Phoenix, Arizona 85007

Copy of the foregoing emailed/mailed  
this 18<sup>th</sup> day of March 2015 to:

Jeffrey W. Crockett  
Brownstein Hyatt Farber Schreck  
One East Washington, Suite 2400  
Phoenix, Arizona 85004  
[jcrockett@bhfs.com](mailto:jcrockett@bhfs.com)

